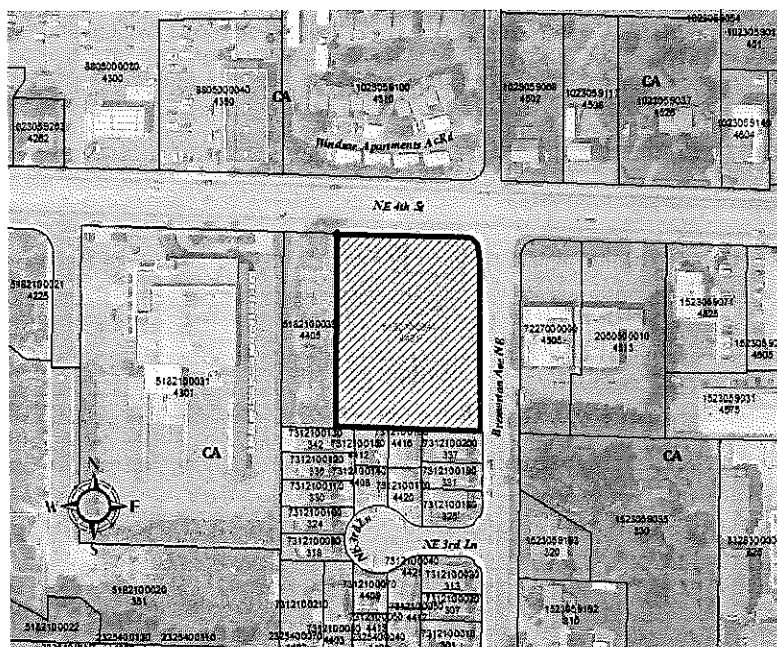


ADMINISTRATIVE VARIANCE REPORT & DECISION

A. SUMMARY AND PURPOSE OF REQUEST

REPORT DATE:	March 3, 2010		
Project Name:	Key Plaza Sign Variance		
Owner:	Amber Properties, LLC, P.O. Box 3015, Renton, WA 98056		
Applicant:	Robin Bales, Amber Properties, LLC, P.O. Box 3015, Renton, WA 98056		
Contact:	Jon Bizjak, Tube Art Group, 1705 4 th Avenue S, Seattle, WA 98134		
File Number:	LUA10-005, V-A		
Project Manager:	Gerald Wasser, Associate Planner		
Project Summary:	The applicant is requesting a variance for a free-standing ground-related monument sign in association with a bank building on a 61,099 square foot site in the CA zone. The variance is for free-standing ground-related monument sign height (10-feet where 5-feet is permitted) from the requirements of RMC 4-3-100J.1.e.		
Project Location:	4431 NE 4 th Street		
Exist. Bldg. Area SF:	4,081 sf	Proposed New Bldg. Area (footprint):	N/A
		Proposed New Bldg. Area (gross):	
Site Area:	61,099 sf	Total Building Area GSF:	N/A



Project Location Map

B. PROJECT DESCRIPTION/BACKGROUND:

The applicant is requesting approval of an administrative variance from the sign provisions of the Urban Design Regulations, Minimum Standards for Districts 'C' and 'D' (RMC 4-3-100J.1.e). The subject site is located at 4431 NE 4th Street in the Commercial Arterial (CA) Zone and Urban Design Overlay District 'D'.

The applicant is proposing a freestanding ground-related monument sign which would be 10-feet above finished grade. RMC 4-3-100J.1.e outright permits freestanding ground-related signs limited to 5-feet above finished grade, including the support structure. Therefore, the applicant is requesting a variance for height in excess of the specified standard.

C. EXHIBITS:

The following exhibits were entered into the record:

- Exhibit 1: Yellow File containing application, proof of posting and publication, and other documentation pertinent to this request
- Exhibit 2: Site Plan (Tube Art Group, Sheet 3 of 28, dated January 27, 2010)
- Exhibit 3: Site Plan - Closer View (Tube Art Group, Sheet 4 of 28, dated January 27, 2010)
- Exhibit 4: Sign Elevation (Tube Art Group, Sheet 1 of 3, dated March 2, 2010)
- Exhibit 5: Photo representation of proposed sign (Tube Art Group, Sheet 2 of 28, dated January 27, 2010)
- Exhibit 6: Zoning Map (Sheet F6 W1/2)

D. FINDINGS:

Having reviewed the written record in the matter, the City now makes and enters the following:

1. **Request:** The applicant has requested approval of an Administrative Variance from the allowed 5-foot height limit for freestanding ground-related monument signs in Urban Design District 'D' (RMC 4-3-100J.1.e). The request is for a freestanding ground-related monument sign which would be 10-feet in height (Exhibit 4). The proposed project would be located at 4431 NE 4th Street in the Commercial Arterial (CA) Zone. [All CA zoned properties in the City of Renton are within Urban Design overlay District 'D'.]
2. **Administrative Variance:** The applicant's administrative variance submittal materials comply with the requirements necessary to process a variance. The applicant's site plan and other project drawings are provided as Exhibits 2 through 5.
3. **Existing Land Use:** North – NE 4th Street and multi-family residential (CA zoning)
South – Single-family residential (CA zoning)
East – Bremerton Avenue NE and commercial (CA zoning)
West – Vacant and U.S. Post Office (CA zoning)
4. **Zoning:** The site is located in the Commercial Arterial (CA) Zone.
5. **Topography:** The site is primarily flat.

6. **Lots and Building Size:** The project site consists of one lot with a 4,081 square foot building. However, the proposed project is a freestanding ground-related monument sign.

E. CONSISTENCY WITH VARIANCE CRITERIA:

Section 4-9-250B.5.a lists 4 criteria that the Planning Director is asked to consider, along with all other relevant information, in making a decision on an Administrative Variance application. These include the following:

The Planning Director shall have authority to grant an administrative variance upon making a determination, in writing, that the conditions specified below have been found to exist:

- a. **That the applicant suffers undue hardship and the variance is necessary because of special circumstances applicable to subject property, including size, shape, topography, location or surroundings of the subject property, and the strict application of the Zoning Code is found to deprive subject property owner of rights and privileges enjoyed by other property owners in the vicinity and under identical zone classification:**

The applicant contends that the success of tenants in Key Plaza is to have good visibility and an identity to passing vehicular traffic. Further, the applicant contends that a 5-foot high monument sign as required by City Code would put the Key Plaza property at a disadvantage compared to retail establishments in the immediate surrounding vicinity which predominantly have much taller pole signs.

Staff agrees that the applicant suffers an undue hardship due to location of the site and its surroundings. Vehicle drivers travelling on NE 4th Street have been accustomed to pole signs directing them to driveways and businesses and there may be greater difficulty in seeing shorter signs. Intent for a taller sign indicating the location of Key Bank Plaza was conveyed in the initial discussions on the project, however, subsequent Code changes preclude such a sign and limit ground-related monument signs in this area to 5-feet in height. The proposed sign (see Exhibit 5) is compatible with and complements the existing building on site (including the use of brick on the sign base) while providing a reasonable compromise between a 5-foot ground-related sign and the much taller pole signs which exist in the vicinity along NE 4th Street.

- b. **That the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which subject property is situated:**

The applicant contends that the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity because the proposed freestanding ground-related monument sign, while taller than the height specified in the current Code, is significantly shorter than pole signs in the vicinity.

Staff agrees that the granting of the variance for a 10-foot high ground-related monument sign in this instance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which it would be situated. The proposed sign is much shorter than pole signs identifying business in the vicinity. Such pole signs were installed prior to the effective date of the Code provisions specifying a height limit of 5-feet.

- c. That approval shall not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and zone in which the subject property is situated:**

The applicant contends that approval of the variance request will not constitute a grant of special privilege inconsistent with the limitation upon other properties in the vicinity and zone in which the property is situated because the existing freestanding signs in the vicinity are taller than the proposed sign.

Staff agrees that the approval of the proposed sign would not constitute a grant of special privilege in this case. Pole signs identifying businesses in the surrounding area used on similar lots are significantly taller than the proposal. Other proposed similarly designed signs in similar circumstances would likely be granted a variance.

- d. That the approval as determined by the Planning Director is a minimum variance that will accomplish the desired purpose:**

The applicant contends that the request to exceed the allowable height of a freestanding ground-related sign in Urban Design District 'D' is the minimum variance needed in order to maintain high visibility of the businesses on this site.

Staff supports the request as the minimum variance in that the height of the proposed sign creates a reasonable sign to complement and enhance the existing structure on the project site while providing necessary visibility to vehicle drivers along NE 4th Street. A shorter sign would not provide for visibility, while a taller sign would not be necessary for visibility. The proposed sign is consistent with the current character of the surrounding area. Provided that the proposed sign is designed as indicated in the submitted plans (Exhibits 2, 3, and 4) staff recommends approval of the variance request.

F. CONCLUSIONS:

1. The subject site is located at 4431 NE 4th Street within the Commercial Arterial (CA) Zone and Urban Design District 'D'.
2. The CA Zone and Urban Design District 'D' allow freestanding ground-related monument signs which are no more than 5-feet in height. The applicant is proposing a freestanding ground-related sign which is 10-feet in height as depicted on Exhibit 4, Sign Elevation.
3. The analysis of the proposal according to variance criteria is found in the body of the Staff Report.
4. The proposed sign height variance meets the four criteria to be considered in making a decision on a variance request as specified in RMC 4-9-250B5.a. Special circumstances apply to the subject site which impose undue limitations on the property; the granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and zone in which the subject property is situated; the granting of the variance does not constitute a grant of special privilege inconsistent with the limitation upon the use of other properties in the vicinity and zone in which the subject property is located; and the approval of the variance request would be the minimum variance necessary to accomplish the desired purpose.

G. DECISION:

The Administrative Variance for the Key Plaza Sign Variance, File No. LUA10-005, V-A, is approved and is subject to the following condition:

1. The freestanding ground-related sign shall be constructed and installed in conformance with Exhibits 2, 3, and 4.

DATE OF DECISION ON LAND USE ACTION:

SIGNATURE:

[Signature on file]

C.E. "Chip" Vincent, Planning Director

Date

TRANSMITTED this 3rd day of March, 2010 to the Owner/Applicant/Contact:

Robin Bales
Amber Properties, LLC
P.O. Box 3015
Renton, WA 98056

Jon Bizjak
Tube Art Group
1705 4th Avenue S
Seattle, WA 98134

TRANSMITTED this 3rd day of March, 2010 to the Party of Record:

None

TRANSMITTED this 3rd day of March, 2010 to the following:

Neil Watts, Development Services Director
Larry Meckling, Building Official
Kayren Kittrick, Development Services
Fire Marshal
Jennifer Henning, Planning Manager
Renton Reporter

Land Use Action Request for Reconsideration, Appeals & Expiration

The administrative land use decision will become final if the decision is not appealed within 14 days of the effective date of decision.

RECONSIDERATION: Within 14 days of the effective date of decision, any party may request that a decision may be reopened by the Administrator (Decision-maker). The Administrator (Decision-maker) may modify his decision if material evidence not readily discoverable prior to the original decision is found or if he finds there was misrepresentation of fact. After review of the reconsideration request, if the Administrator (Decision-maker) finds sufficient evidence to amend the original decision, there will be no further extension of the appeal period. Any person wishing to take further action must file a formal appeal within the 14-day appeal timeframe.

APPEAL: This administrative land use decision will become final if not appealed in writing to the Hearing Examiner on or before 5:00 PM on March 17, 2010. An appeal of the decision must be filed within the 14-day appeal period (RCW 43.21.C.075(3); WAC 197-11-680). Appeals to the Examiner are governed by City of Renton Municipal Code Section 4-8-110. Additional information regarding the appeal process may be obtained from the Renton City Clerk's office, Renton City Hall – 7th Floor, (425) 430-6510. Appeals must be filed in writing, together with the required fee to: Hearing Examiner, City of Renton, 1055 South Grady Way, Renton, WA 98057.

THE APPEARANCE OF FAIRNESS DOCTRINE: provides that no ex parte (private one-on-one) communications may occur concerning the land use decision. The Doctrine applies not only to the initial decision, but to Appeals to the Hearing Examiner as well. All communications after the decision/approval date must be made in writing through the Hearing Examiner. All communications are public record and this permits all interested parties to know the contents of the communication and would allow them to openly rebut the evidence in writing. Any violation of this doctrine could result in the invalidation of the appeal by the Court.

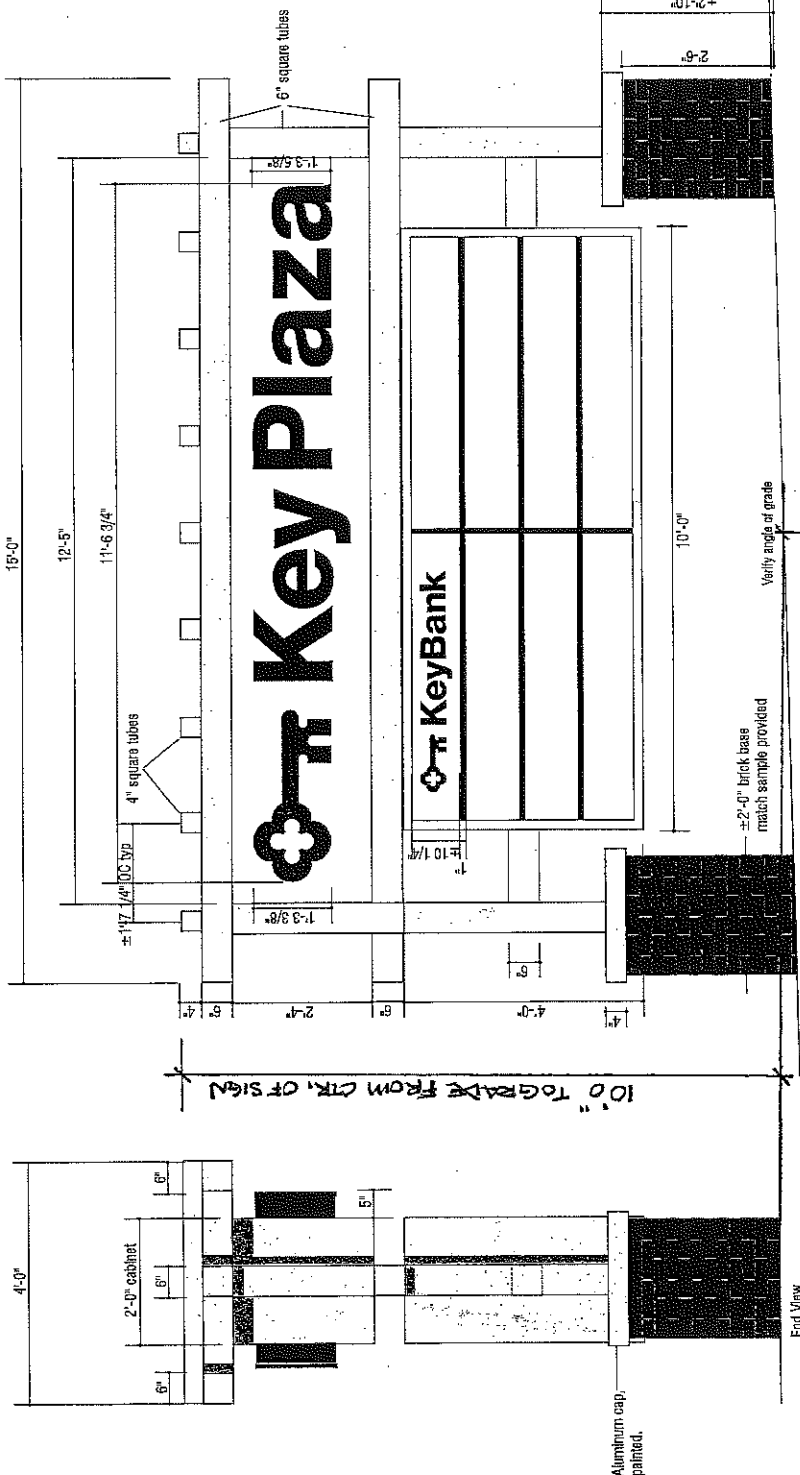
EXPIRATION: The variance(s) approval will expire two (2) years from the date of decision. A variance one (1) year extension may be requested pursuant to RMC 4-9-250B.17.

City of Renton
Planning Division

MAR 02 2010

RECEIVED

Top View



Manufacture and install one (1) illuminated monument sign

Main ID:

Aluminum faces with surface applied individual illuminated channel letters. Background will be painted satin white. Cabinet returns will be painted cool gray (U) to match building color. Key "Logo" will be red channel coil with 1" red trimcap. Faces will be white plex with #3530-33 red vinyl overlay applied first surface. Illuminate internally with LED lighting. "Key Plaza" will be black channel coil with 1" black trimcap. Faces will be white plex with black duo perforated vinyl applied first surface. Internal white LED illumination

Tenant Cabinets:

Cabinets will be double faced aluminum construction with 1" black vinyl dividers. Paint cool gray (U) to match building color. Faces will be white plex with surface applied vinyl graphics. Illuminate internally with fluorescent lamps. Key Bank will be #3530-33 and black vinyl.

PMS Cool Gray (U)



Elevation: Scale: 1/2" = 1'-0"

End View



TUBE ART GROUP

Seattle Office
1705 4th Ave South
Seattle, WA 98148-1514
206.223.1122
905.562.2854
Fax 206.223.1123

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Customer Number

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April

File

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EXHIBIT 4

Key Plaza
Amber Properties

NE 4th Street
Renton Highlands
Renton, WA

1 of 3

Colors on print do not accurately
represent colors.



TUBE ART GROUP

Seattle Office
1705 4th Ave South
Seattle, WA 98134-1514
206.223.1122
800.582.2854
Fax 206.223.1123

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4655 Customer Number
111540 Quote Number
Amber50photos r
File Name
Jon Bizjak
Salesperson
JPB/Karen Fischer/MC
Drawn By
**
Checked []
April 3, 2
Date
August 5:
November
January 6
January 1
January 1

Revisions
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[] Appro

Customer

Date

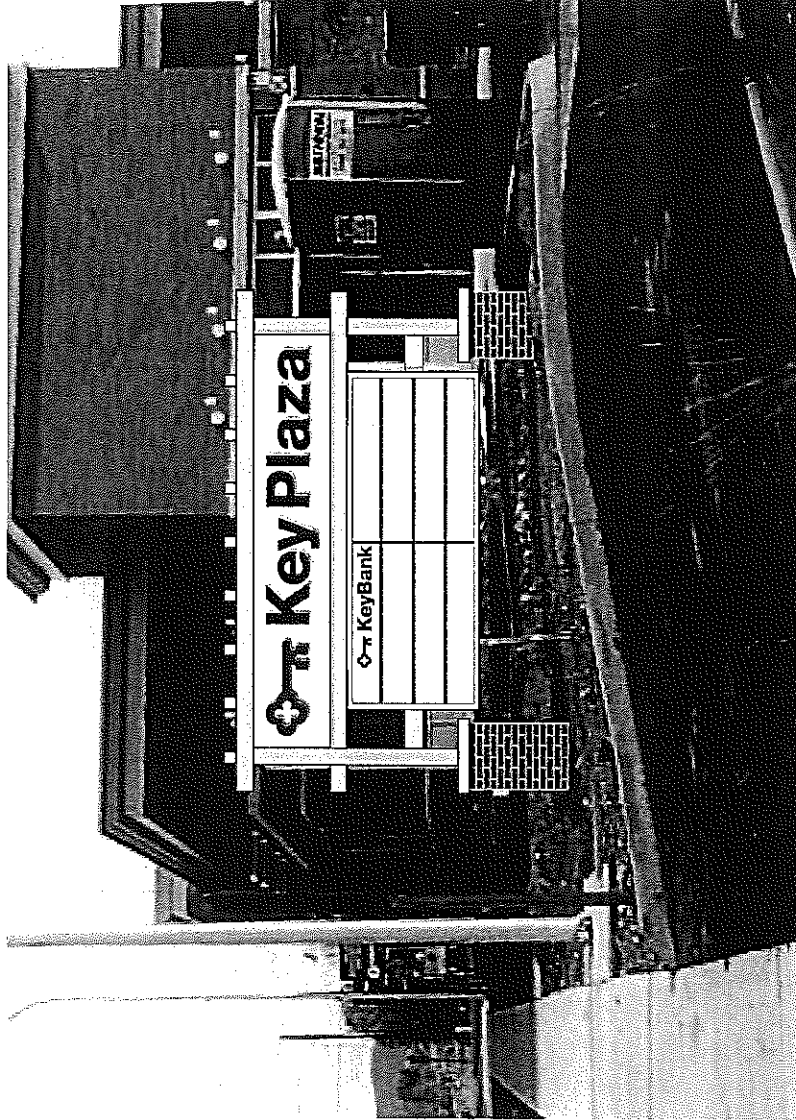
Landlord []

Date

Key Plaza
Amber Properties

NE 4th Street
Renton Highlands
Renton, WA

Colors on print do not accurately
depict specific colors.



Proposed Conditions - Approximate Scale only

EXHIBIT 5

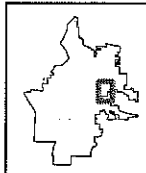
EXHIBIT 6

F5 - 16 T23N R5E E 1/2

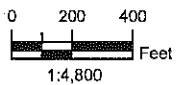
F6 - 15 T23N R5E E 1/2

ZONING MAP BOOK
PW TECHNICAL SERVICES
PRINTED ON 11/13/09

This document is a graphic representation, not guaranteed to survey accuracy, and is based on the best information available as of the date shown. This map is intended for City display purposes only.



G6 - 22 T23N R5E W 1/2



F6

15 T23N R5E W 1/2

5315